

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

CHRISTIAN OATES,)	
)	
Petitioner,)	
)	
v.)	No. 1:24-CV-00165 RWS
)	
RUTH ANN DICKERSON, ¹)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on review of petitioner’s application for writ of habeas corpus brought pursuant to 28 U.S.C. § 2241. The petition is defective because it was not drafted on a Court-provided form. *See* E.D. Mo. L.R. 2.06(A) (“All actions by self-represented plaintiffs or petitioners should be filed on Court-provided forms.”). The Court will require petitioner to amend the petition within twenty-one (21) days of the date of this Order.

Additionally, although petitioner filed a motion to proceed in forma pauperis, he failed to sign his motion. Thus, he will be required to submit a signed motion to proceed in forma pauperis or pay the \$5 filing fee within twenty-one (21) days of the date of this Order.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall change the respondent in this action to Ruth Ann Dickerson, Sheriff of Cape Girardeau County. All other respondents are **DISMISSED** from this action.

¹Petitioner has named as respondents the United States and the State of Missouri. The proper respondent for a prisoner currently in custody is the state officer having custody of the applicant. *See* 28 U.S.C. § 2254, Rule 2(a). Ruth Ann Dickerson, Sheriff of Cape Girardeau County Jail, is the proper respondent.

IT IS FURTHER ORDERED that the Clerk of Court shall mail to petitioner (1) a copy of the Court's form petition for writ of habeas corpus under 28 U.S.C. § 2241, and (2) a copy of the application to proceed in district court without prepaying fees or costs.

IT IS FURTHER ORDERED that petitioner must either pay the \$5 filing fee or submit the application to proceed in district court without prepaying fees or costs **within twenty-one (21) days** of the date of this Order.

IT IS FURTHER ORDERED that petitioner shall sign both his amended petition and his application to proceed in district court without paying fees or costs prior to submitting them to this Court.

IT IS FURTHER ORDERED that petitioner must file an amended petition on the Court-provided form within **twenty-one (21) days** of the date of this Order.

Failure to comply with this Order will result in the dismissal of this action without prejudice and without further notice to petitioner.

Dated this 17th day of September, 2024.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE